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EXAMINER	
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ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/942,168	Applicant(s) Liu et al
	Examiner Brian H. Shaw	Group Art Unit 2785

☒ Responsive to communication(s) filed on *Oct 1, 1997* .

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-44* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-44* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____ .

☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-6, 24, 30 and 41-44 are rejected under 35 U.S.C. 102(a) as being anticipated by Sun Microsystems Computer Company, "Solstice SyMON User's Guide" (referred to as "SyMON").

Claims 1 and 2:

SyMON describes an invention for reporting a failure in a computer system.

SyMON "identifies hardware and software conditions quickly", Page 1-1 (detects a system failure condition).

In SyMON data (such as the "state of its components" - failure information, SyMON page 1-2) that is gathered by the Data Capture Layer (see SyMON page 1-2) is transmitted to the Management Application Program (see SyMON page 1-3). This information is saved (the current state is always saved), and failure information is saved to a log file (SyMON page 1-3). The Event Handler is responsible for reporting the occurrence of an event to the CPU.

Claims 3 and 4:

In SyMON, the Graphical User Interface (see SyMON page 1-3) is responsible for notifying an operator of a failure through the use of displaying a message on the monitor coupled to the system.

Claim 5:

SyMON maintains a "log file of Solstice SyMON-detected conditions for future analysis" (page 1-2) which implies that the system operator is capable of accessing the failure information from the system log.

Claim 6:

SyMON records the time that events occur (page 1-3).

Claim 24:

SyMON "identifies hardware and software conditions quickly", Page 1-1 (detects a system failure condition).

In SyMON data (such as the "state of its components" - failure information, SyMON page 1-2) that is gathered by the Data Capture Layer (see SyMON page 1-2) is transmitted to the Management Application Program (see SyMON page 1-3). This information is saved (the current state is always saved), and failure information is saved to a log file with time values

(SyMON page 1-3). The Event Handler is responsible for reporting the occurrence of an event to the CPU.

In SyMON, the Graphical User Interface (see SyMON page 1-3) is responsible for notifying an operator of a failure through the use of displaying a message on the monitor coupled to the system.

Claim 30:

SyMON "identifies hardware and software conditions quickly", Page 1-1 (detects a system failure condition).

In SyMON data (such as the "state of its components" - failure information, SyMON page 1-2) that is gathered by the Data Capture Layer (see SyMON page 1-2) is transmitted to the Management Application Program (see SyMON page 1-3). This information is saved (the current state is always saved), and failure information is saved to a log file with time values (SyMON page 1-3). The Event Handler is responsible for reporting the occurrence of an event to the CPU.

In SyMON, the Graphical User Interface (see SyMON page 1-3) is responsible for notifying an operator (which typically is on a remote computer), of a failure through the use of displaying a message on the monitor coupled to the system. The user is also able to view the system log information.

Claim 41:

SyMON "identifies hardware and software conditions quickly", Page 1-1 (detects a system failure condition).

In SyMON data (such as the "state of its components" - failure information, SyMON page 1-2) that is gathered by the Data Capture Layer (see SyMON page 1-2) is transmitted to the Management Application Program (see SyMON page 1-3). This information is saved (the current state is always saved), and failure information is saved to a log file with time values (SyMON page 1-3).

The Event Handler can also cause the execution of an operation in response to detecting a system failure condition (SyMON page 1-4).

Claims 42 and 43:

One operation the Event Handler performs is to notify an operator of a failure via the Graphical User Interface (SyMON pages 1-3 and 1-4).

Claims 44:

SyMON logs events and allows the operator to view these logs.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 7-23 and 25-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sun Microsystems Computer Company, "Solstice SyMON User's Guide" (referred to as "SyMON") in view of Shigematsu et al, US Patent No. 5,432,715.

Claims 7 and 8:

SyMON discloses a system for reporting a failure in a computer system.

SyMON does not explicitly describe the process of event signal transmission.

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claims 9 and 10:

SyMON discloses a system for reporting a failure in a computer system.

SyMON does not explicitly describe the process of event signal transmission.

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the receiving device check with a register of the sending device at periodic intervals to see if a message is waiting.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claims 11, 12 and 13:

SyMON discloses a system for reporting a failure in a computer system.

SyMON does not explicitly describe the process of event signal transmission.

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device. Both SyMON and Shigematsu include reporting the occurrence of an event to a computer via a remote interface.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claims 14 and 15:

Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

Claim 16:

SyMON provides for a log of failure information which can be viewed by an operator.

Claims 17 and 18:

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common transmission technique is to have the sending device transmit a ready to read signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device. Both Shigematsu and SyMON (see page 1-2 "the MAP ... typically runs on a different machine in the network) can report error events to a remote computer, within the network. It is understood that network communications can be performed via modem to modem connections.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claim 19:

In order for a communications device to communicate with another, it must first establish a connection, for a modem connection, this would be performed by calling the phone number connected to the other computer.

Claim 20:

An implied component of any computer-to-computer connection involve verification of access authority.

Claims 21 and 22:

Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

Claim 23:

SyMON provides for a log of failure information which can be viewed by an operator.

Claims 25 and 26:

SyMON discloses a system for reporting a failure in a computer system.

SyMON does not explicitly describe the process of event signal transmission.

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claims 27 and 28:

SyMON discloses a system for reporting a failure in a computer system.

SyMON does not explicitly describe the process of event signal transmission.

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of

a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common polling technique is to have the receiving device check with a register of the sending device at periodic intervals to see if a message is waiting.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claim 29:

SyMON monitors the state of its hardware components. Page 3-5 further indicates that temperature is a monitored property.

Claims 31 and 32:

SyMON discloses a system for reporting a failure in a computer system.

SyMON does not explicitly describe the process of event signal transmission.

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in

a bit vector. One common polling technique is to have the sending device transmit an interrupt signal to the receiving device and then have the receiving device respond by reading the message stored by the sending device.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claims 33 and 34:

Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

Claims 35 and 36:

Shigematsu et al also discloses a system for reporting a failure in a computer system. The invention of Shigematsu includes a self-monitoring unit (component 5-1) which is responsible for monitoring the status of a system. This unit is responsible for generating a message and sending it to the message transmitting unit. Although Shigematsu does not refer to the setting of a bit in a bit vector, it is understood that the status of devices will likely be represented as a bit in a bit vector. One common transmission technique is to have the sending device transmit a ready to read signal to the receiving device and then have the receiving device respond by reading the

message stored by the sending device. Both Shigematsu and SyMON (see page 1-2 "the MAP ... typically runs on a different machine in the network) can report error events to a remote computer, within the network. It is understood that network communications can be performed via modem to modem connections.

It would have been obvious at the time the invention was made to include a interface between a monitoring unit and the monitoring CPU.

A person of ordinary skill in the art would have been motivated to include an interface in order to distribute processing and facilitate communication to the CPU.

Claim 37:

In order for a communications device to communicate with another, it must first establish a connection, for a modem connection, this would be performed by calling the phone number connected to the other computer.

Claim 38:

An implied component of any computer-to-computer connection involve verification of access authority.

Claims 39 and 40:

Both SyMON and Shigematsu are designed to notify an operator of the failure, through a display message on a monitor.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- KiKinis, US Patent No. 5,631,847 describes a system for notification when a server endures a failure.

- Sun Microsystems, "Remote Systems Diagnostics Installation & User Guide" describes a system for remote analysis and monitoring of system events in a server.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Shaw whose telephone number is (703) 305-0631. The examiner can normally be reached on Tuesday - Friday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel, can be reached on (703) 305-9713 . The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718 .

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

BHS

May 19, 1999

ROBERT W. BEAUSOLIEL, JR.
SUPERVISORY PATENT EXAMINER
GROUP 2700